

STATE MS.-DESOTO CO.  
CLERK

SEP 25 3 21 PM '03

STATE OF MISSISSIPPI

COUNTY OF DESOTO

BY 454 PG 177  
CLERK OF CH. CLK.EASEMENT AND RIGHT-OF-WAY GRANT

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Richard N. Smith and wife, Carolyn Curtiss Smith, whose address is 9771 Green River Road, Lake Cormorant, Mississippi 38641, hereinafter referred to as GRANTORS, do hereby grant, bargain, sell, convey and deliver unto Mississippi Valley Gas Company, a Mississippi corporation, whose address is Post Office Box 3348 Jackson, Mississippi 39207 herein referred to as GRANTEE, its successors and assigns an easement and right-of-way to construct, inspect, operate, maintain, repair, replace, and remove one pipeline to be buried a minimum of 48 inches under the ground, over, under and through a strip of land forty five feet (45') in width, during the period of initial pipeline construction provided however, that said easement and right-of-way shall revert to thirty feet (30') subsequent to such construction, repair or maintenance. Said easement and right-of-way being more particularly described on EXHIBITS "A" attached hereto and made a part hereof and is located in, on or under the following described lands situated in DeSoto County, State of Mississippi, to-wit:

That certain parcel of land described in that certain deed dated November 30, 1987, as recorded in Book 200, at Page 654, and May 4, 1998 as recorded in Book 332, at Page 618, all of the records of the Chancery Clerk of DeSoto County, Mississippi.

The Grantee shall have full right, at its sole option, to clear, and keep clear, the right-of-way herein granted, and all timber, trees, undergrowth, and other obstructions which might interfere with the construction or maintenance of said pipeline and appurtenances, or endanger the same, provided however that Grantor or his assigns shall be compensated for all damages to crops or other agricultural produce occasioned by Grantee's operations.

The Grantee, its successors or assigns are hereby expressly given and granted the right to assign this easement and right-of-way servitude or any part hereto or interest therein.

To have and to hold unto Grantee, its successors and assigns, with full rights of ingress and egress at all times, so long as the rights and easements herein granted, or any of them, shall be used by or useful to, Grantee for the purpose herein granted, with all of such rights being assignable, in whole or in part.

The said Grantors are to fully use and enjoy the said premises, except for the purposes herein granted to the Grantee and provided the said Grantor shall not construct or maintain, nor permit to be constructed or maintained any house, structures, lake, pond or obstructions, on or over, or that will interfere with the construction, maintenance or operation of, any pipeline or appurtenances constructed hereunder, and will not change the grade over such pipeline.

Grantors covenant and warrant that they are the lawful owners of the above described property free and clear of any unstated liens, encumbrances or imperfections and warrant the title to the same. Grantors further warrant that the above described property constitutes no part of their homestead.

The Grantee shall indemnify and hold Grantors harmless from any and all liability which they may incur and any and all losses or damages which they may suffer as a result of the Grantee's exercise of its rights under this easement, including any liability, losses or damages resulting from any personal injury or damage to property arising out of the construction, inspection, operation, maintenance, repair, replacement or removal of the above described pipeline and the removal of any timber, undergrowth or other obstruction on the property which is the subject of this easement, or otherwise.

IN WITNESS WHEREOF, the Grantors herein have executed this conveyance, this the 25th day of November, 2002.

GRANTORS:

Richard N. Smith  
Richard N. Smith

Carolyn Curtiss Smith  
Carolyn Curtiss Smith

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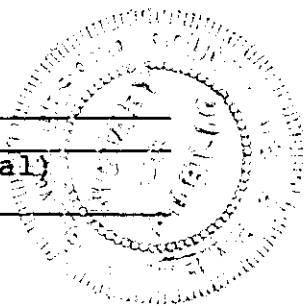
ACKNOWLEDGMENT

STATE OF MISSISSIPPI  
COUNTY OF DeSoto

I hereby certify that on this day before me a Notary Public, duly authorized in the state and county aforesaid to take acknowledgments, personally appeared Richard N. Smith and wife Carolyn Curtiss Smith, to me know to be the persons described in and who executed the foregoing instrument, and they acknowledged before me that being informed of the contents of the same they voluntarily signed and delivered the within and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal this the 25<sup>th</sup> day of November, 2002

Samela V. Black  
Marketing Rep.  
(Title of Official)  
in and for DeSoto  
County, Mississippi.



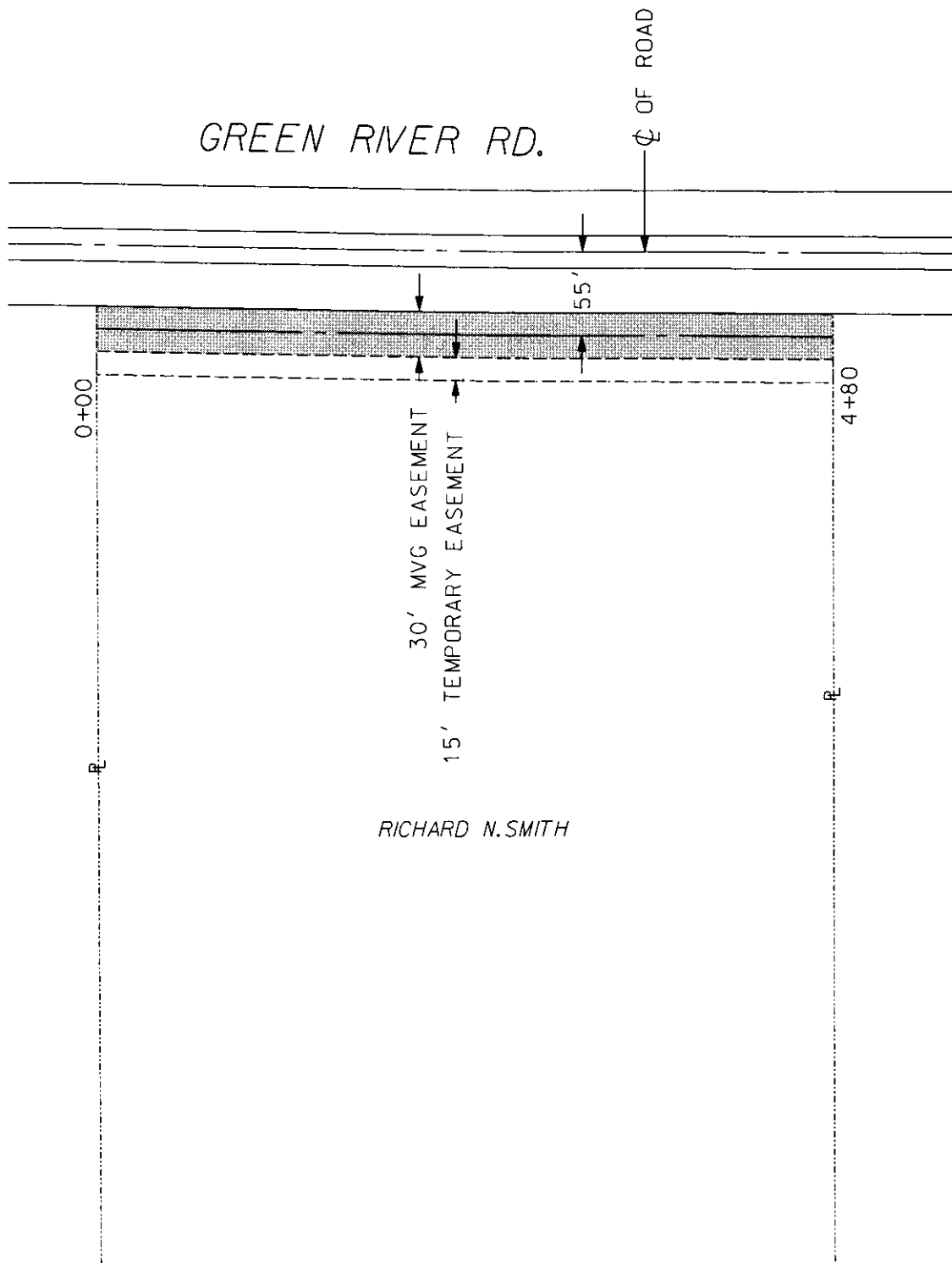
My Commission Expires: MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES JUNE 13, 2003  
BONDED THRU STEGALL NOTARY SERVICE

This Instrument Prepared by:  
Stephen Platt, Attorney at Law  
217 West Capitol Street, Suit 105  
Jackson, Mississippi 39201  
Ph #601-352-9111

GRANTOR  
Richard and Carolyn Smith  
9771 Green River Road  
Lake Cormorant, MS 38641

GRANTEE  
Mississippi Valley Gas Company  
Post Office Box 3348  
Jackson, Mississippi 39207

INDEXING INSTRUCTIONS: Index this instrument in the Northwest Quarter of Section 4, Township 3 South, Range 9 West, DeSoto County, Mississippi.



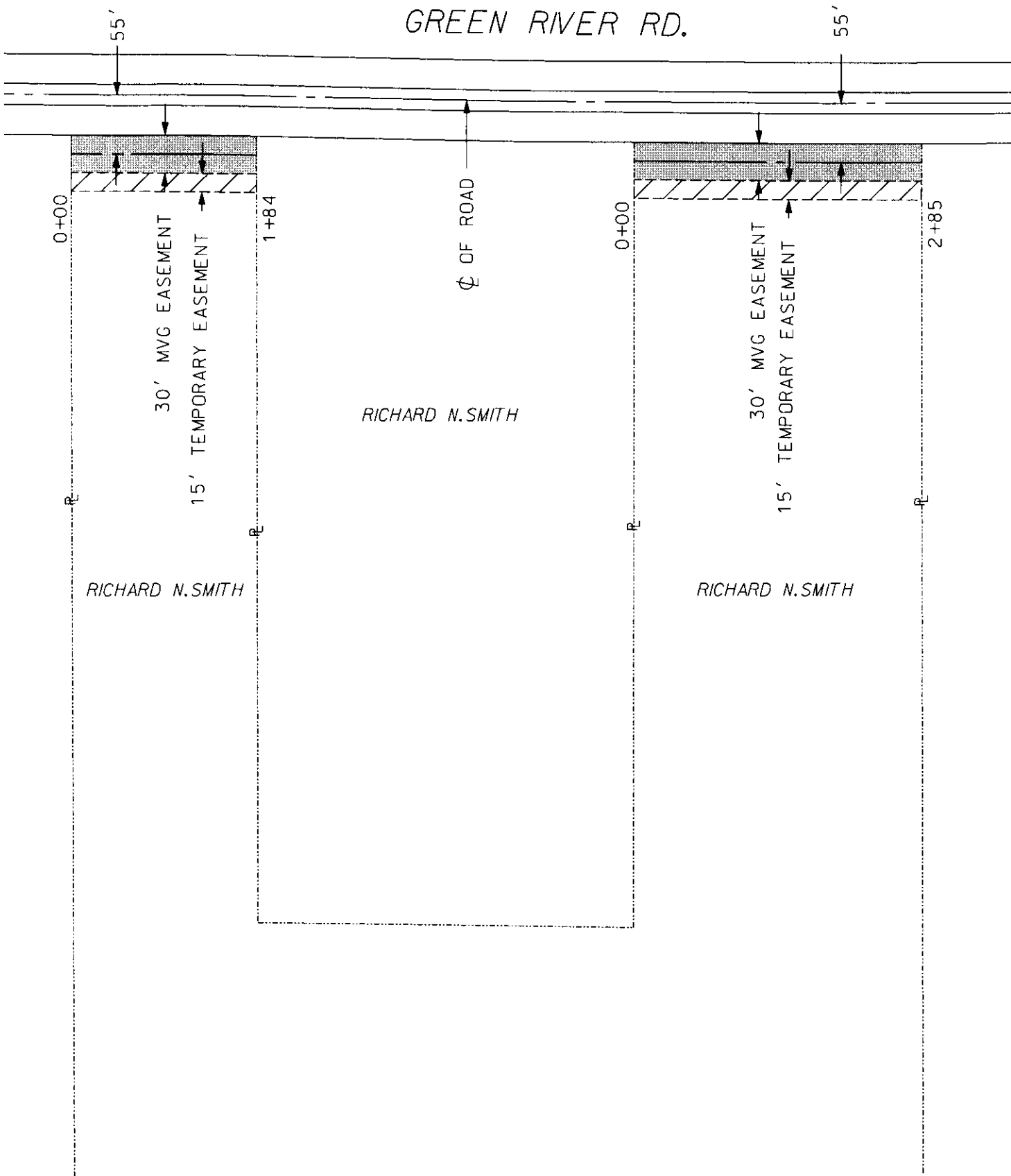
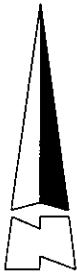
RICHARD N. SMITH

SIGNED FOR IDENTIFICATION

Richard N. Smith

EXHIBIT "A"

GAS PIPELINE EASEMENT LOCATION  
CERTAIN PARCEL OR TRACT OF LANDS IN  
THE NW 1/4 OF SECTION 4, T-3-S, R-9-W  
OWNERS: RICHARD N. SMITH  
DESOTO COUNTY MISSISSIPPI  
REF. # 392-4-9.2  
MISSISSIPPI VALLEY GAS COMPANY  
DATE: 11/04/02 #402 SCALE: N.T.S.



SIGNED FOR IDENTIFICATION

EXHIBIT "A"

GAS PIPELINE EASEMENT LOCATION  
CERTAIN PARCEL OR TRACT OF LANDS IN  
THE NW 1/4 OF SECTION 4, T-3-S, R-9-W  
OWNERS: RICHARD N. SMITH  
DESOTO COUNTY MISSISSIPPI  
REF. # 392-4-9  
MISSISSIPPI VALLEY GAS COMPANY  
DATE:11/04/02 #401 SCALE: N.T.S.